

U.S. Application No.: 09/909,038
PRELIMINARY AMENDMENT

Attorney Docket: 3975.003

REMARKS

Claims 1-9 are pending. Claims 1-9 are canceled herein without prejudice or disclaimer. New claims 10-17 are added to better claim that which the Applicant regards as his invention. Care has been taken to ensure that no new matter is added to the claims.

The specification is amended herein at paragraphs 2, 7, 9, 12, 21, and 39-41 as described below. Care has been taken to ensure that no new matter is added to the specification.

Entry of the amendments and reconsideration is requested.

Information Disclosure Statement

The Examiner's return of the initialed copy of form PTO-1449 corresponding to the Information Disclosure Statement filed on September 24, 2001 is gratefully acknowledged. The Examiner states that the references cited therein have been considered. However, Applicants note that reference WO 00/15341 has been struck through and not initialed.

Reference WO 00/15341 is not in the English language, but is discussed at paragraph 2 of the specification as filed, as mentioned in the Information Disclosure Statement. Consideration of this reference and a copy of an amended PTO-1449 form are respectfully requested.

Foreign Priority

The Examiner objects to the Declaration filed on September 21, 2001 as listing an incorrect date for the filing date of the foreign priority document, DE 100 37 166.3.

Applicants submit herewith a Supplemental Application Data Sheet under 37 C.F.R. §1.77(c), which specifically identifies the subject application and lists the correct filing date of July 20, 2000 as the filing date of said foreign priority document.

Applicants request entry of the Supplemental Application Data Sheet into the file and withdrawal of the objection to the Declaration.

Objections to the Specification

The Examiner objects to the Specification for a number of informalities. The penciled paragraph numbering of the Examiner is adopted:

7. Paragraphs 39 and 40 are amended to correct a typographical error in which Figure 1 was incorrectly referred to as Figure 2. Support for the amendment may be found in Figure 1 as filed.

8. Reference to the trademarks "NAG LIBRARY" and "NAG FORTRAN WORKSTATION LIBRARY" at paragraphs 7, 9, 12, and 21 of the specification have been amended to uppercase.

10. The Examiner's suggestion to delete specific reference to Claim 1 at paragraph 41 is adopted by the amendment to paragraph 41 herein.

11. Specific reference to German Patent Application DE 198 43 242.9 has been deleted by the amendments to paragraphs 2 and 41 herein.

Applicants believe that the above amendments to the specification fully address the Examiner's objections, and respectfully request that the objections be withdrawn.

Rejections under 35 U.S.C. §112, ¶2

The Examiner rejects claims 1-9 as being allegedly indefinite as described at paragraphs 15-25 of the Office Action.

Applicants assert that the cancellation herein of claims 1-9 renders these rejections moot. Specifically, new claims 10-17 are presented, which have been redrafted in a form that Applicants believe is fully responsive to all of the Examiner's rejections, and which are fully supported by the specification and claims as filed.

Entry of new claims 10-17 and withdrawal of the rejections under 35 U.S.C. §112, ¶2, is respectfully requested.

Rejections under 35 U.S.C. §101

The Examiner rejects claims 1-9 as being allegedly directed to non-statutory subject matter.

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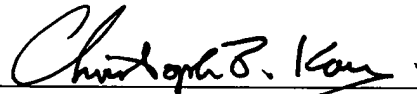
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Applicants assert that the cancellation herein of claims 1-9 renders this rejection moot. Specifically, new claims 10-17 are presented, which set forth active and positive steps delimiting the claimed processes, and which are fully supported by the specification and claims as filed.

Entry of new claims 10-17 and withdrawal of the rejections under 35 U.S.C. §101 is respectfully requested.

As there are no further objections or rejections, reconsideration and the early issuance of a Notice of Allowance is solicited. If the Examiner believes that any further issues remain that may be addressed by telephone, the Examiner is requested to contact the undersigned at the number below.

Respectfully submitted,



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Date: **February 3, 2004**



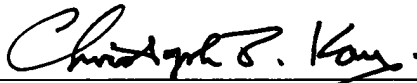
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CERTIFICATE OF MAILING AND AUTHORIZATION TO CHARGE

I hereby certify that the foregoing AMENDEMENT A for U.S. Application No. 09/909,038 filed July 19, 2001, were deposited in first class U.S. mail, postage prepaid, addressed to: Mail Stop _____, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on **February 3, 2004**.

The Commissioner is hereby authorized to charge any additional fees that may be required at any time during the prosecution of this application, except for the issue fee, without specific authorization, or credit any overpayment, to Deposit Account No. 16-0877.



Christopher J. Kay